

be a violation of the program and shall render the owner ineligible to receive program benefits. However, in the event the provisions of part 791 of this title are applicable to a specific violation, the owner may receive benefits under the program, reduced as follows:

(1) For the owner's first such violation, total benefits available to the owner shall be reduced by an amount equal to 5 percent of the owner's current total benefits available as specified on the latest CCC-651-B or CCC-651, as applicable.

(2) For the owner's second such violation, total benefits available to the owner shall be reduced by an amount equal to 25 percent of the owner's current total benefits available as specified on the latest CCC-651-B or CCC-651, as applicable.

(3) For the owner's third such violation, total benefits available to the owner shall be reduced by an amount equal to 50 percent of the owner's current total benefits available as specified on the latest CCC-651-B or CCC-651, as applicable.

(4) For the owner's fourth such violation, the owner shall be ineligible to receive any benefits under the emergency livestock feed programs and shall be required to refund any benefits or payments already received, plus any applicable interest as determined by CCC.

§ 1439.10 Termination and suspension of program.

(a) The county committee, in the county that requested emergency livestock feed program assistance, may at any time during the operation of a program recommend suspension or termination of a program. The State committee may at any time during the operation of a program suspend or terminate a program, with the concurrence of DASCOT, for the county that requested emergency livestock feed program assistance. DASCOT may suspend or terminate a program at any time for the county that requested the emergency livestock feed programs. The suspension or termination of a program in a county shall not apply to any application filed prior to the effective date of the suspension or termination of a program. Owners who filed an ini-

tial application prior to the termination of the program shall be eligible to file subsequent applications and contracts.

(b) Emergency livestock feed program assistance in a county contiguous to a county that requested and was determined eligible to receive livestock program assistance shall not be suspended or terminated.

[56 FR 33192, July 19, 1991, as amended at 58 FR 62513, Nov. 29, 1993]

§ 1439.11 Maintenance of books and records.

Warehouseman, handlers, dealers, and owners shall maintain and retain financial books and records which will permit verification of all transactions with respect to the provisions of this part for at least 3 years, following the end of the calendar year in which assistance was provided, or for such additional period as CCC may request. An examination of such books and records by a duly authorized representative of the United States Government shall be permitted at any time during business hours. The owner shall, within 30 days after a request by the county committee, submit any requested information with respect to the owner's livestock feeding operation.

§ 1439.12 Liens and claims of creditors; setoffs.

Any payment or benefit or portion thereof due any person under this part shall be allowed without regard to questions of title under State law, and without regard to any claim or lien in favor of any person except agencies of the U.S. Government. The regulations governing set-offs and withholdings found at part 1403 of this chapter shall be applicable to this part.

§ 1439.13 Assignments of payments.

Payments which are earned by a person under the emergency livestock feed programs may be assigned in accordance with the provisions of 7 CFR part 1404.

§ 1439.14 Limitation of authority.

No delegation herein to a State or county committee or a commodity office shall preclude the Executive Vice